

*Special Committee on Judicial Election Campaign Intervention
2018 Judicial Elections*

2018-20 Opinion

The Special Committee on Judicial Election Campaign Intervention received a complaint filed by Candidate G against Candidate F.

The Committee to Elect F Judge is responsible for a radio ad that states:

False and misleading! A state's special committee on judicial elections found [Candidate G] to be intentionally dishonest. Why trust criminal defense attorney [Candidate G]? In [Candidate F]'s courtroom there has never been a ban on prayer. False campaigning through [Candidate G], maybe in Washington, but not tolerated in _____ County. Why is he being intentionally dishonest? Is it because he lacks the relevant experience to be a judge? Vote to keep our Judge [Candidate F]. Appointed by Governor Phil Bryant as circuit court judge. Elected by _____ County three times, because of her honesty, integrity and experience. Paid for by the Committee to Elect [Candidate F] Judge, candidate approved.

In response to a complaint filed by [Candidate F], the Special Committee issued opinion 2018-15. The Special Committee concluded:

As to the comparison chart, Candidate [F] provided information to the Special Committee and Candidate [G] that shows her correct information. The Special Committee agrees that Candidate [G] should include the updated and correct information as provided by Candidate [F] and that Candidate [G] should not use the prior comparison chart and shall cease and desist from distributing information that is incorrect.

However, in the review of the information provided, the Special Committee finds that the use of the term "Years Practicing Law" should include year(s) Candidate [F] practiced law privately or in government service. Also, under "Courtroom Experience, the information should include Candidate [F]'s years of service as a circuit court judge. As to the remainder of the comparison chart, the Special Committee has no information to suggest such information is not true and correct.

Further, the Special Committee is of the opinion that it is a misrepresentation for Candidate [G] to use the statement "THE FACTS AS CONFIRMED BY BOTH CANDIDATES ON 8/30/18." Candidate [F] has

not confirmed the “facts” in the comparison chart as they pertain to Candidate [G]. As a result, the Special Committee instructs Candidate [G] to cease and desist the use of the phrase “THE FACTS AS CONFIRMED BY BOTH CANDIDATES ON 8/30/18” on campaign literature.

In Opinion 2018-15, the Special Committee did not find Candidate [G] “knowingly misrepresented” Candidate [F]’s qualification or that his campaign materials were “intentionally dishonest.”

The Special Committee is of the opinion that Candidate [F]’s radio ad that states that “[a] state’s special committee on judicial elections found [Candidate G] to be intentionally dishonest” is in fact false and misleading. The Special Committee directs Candidate F and the Committee to Elect [Candidate F] to cease and desist the use of this radio ad.

This opinion is limited to the scope and authority of the Special Committee under the Mississippi Code of Judicial Conduct.

Any questions should be in writing and directed to:

Special Committee on Judicial Election Campaign Intervention

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